

## **NALC L01-18 Parish Council paying for Churches?**

***Summary in a sentence - Parish & District Councils can't pay for church property with the exception that District Councils can pay for churchyards & cemeteries.***

### **The advice NALC gave is this:**

The Local Gov Act of 1894 Sec6(1) & Sec 8, transferred powers from the Church to the newly formed Parish Councils. Those powers are to:

- Hold & manage parish property, and do any works including to maintain and improve it, and contribute to expenses (*but NOT property relating to affairs of the church or held for an ecclesiastical charity*).

### **Exceptions**

As is often the case, there are specific exceptions which came about as a result of the Local Gov Act 1972. These are:

- **Sec 215 LGA 1972 - allows a council to maintain a closed churchyard.**
- **Sec 214 (6) LGA 1972 - allows a burial authority to contribute to anyone else providing a cemetery (eg church, temple, synagog.)**

NALC are saying that they think the *general* prohibitions of the 1894 Act about not providing financial help for church property, are over-ridden by the *specific* powers relating churchyards / cemeteries in the later laws made under LGA 1972.

So, examples of what this means are that the Parish Council can NOT provide funds to a Church Hall to make it suitable for Scout meetings (because it is church property). Also, the District Council (as burial authority) CAN help the local church or other religious group provide a cemetery for people in it's area.